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From:

Robert Somers, Mass Media, Policy and Rules Division

To:

Secretary's Office 7/25/97

DATE:

Subject:

Ex parte filing

PEUDION COLUMBINATION COMMISSION
OFFICE OF THE SCOREWRY

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Attached are comments that should be filed as ex parte comments in MM Docket No. 9221 and 87-8.

If you have any questions, please call me at 418-2135.

OWEN PICKETT

VIRGINIA, 2ND DISTRICT

COMMITTEE ON NATIONAL SECURITY

SUBCOMMITTEE ON RESEARCH & DEVELOPMENT RANKING MEMBER

SUBCOMMITTEE ON MILITARY READINESS
SUBCOMMITTEE ON MILITARY PERSONNEL
PANEL ON MORALE, WELFARE AND RECREATION

COMMITTEE ON RESOURCES

SUBCOMMITTEE ON WATER AND POWER



HOUSE OF REPRESENTATIVES OF THE UNITED STATES

WASHINGTON, D.C. 20515 June 25, 1997 2430 RAYBURN BUILDING WASHINGTON, D.C. 20515 (202) 225-4215

E-Mail: OWEN.PICKETT@Mail.House.Gov

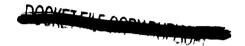
DISTRICT OFFICES:

3841 EAST LITTLE CREEK ROAD SUITE L NORFOLK, VIRGINIA 23518 (757) 583-5892

2710 VIRGINIA BEACH BOULEVARD
VIRGINIA BEACH, VIRGINIA 23452
(757) 486-3710

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Ms. Karen Kornbluh Office of Legislative Affairs Federal Communications Commission 1919 M Street, NW, Rm 808 Washington, D.C. 20554



Dear Ms. Kornbluh:

Enclosed is correspondence that I have received from Mr. Scott Sanders and Mr. Steve Marks from Fox 33 WTVZ in Norfolk, Virginia, expressing their concerns regarding local marketing agreements.

I would appreciate any comment or information you may be able to provide with regard to the concerns set forth in their letters so that I may respond to Mr. Sanders and Mr. Marks in a timely manner.

Thank you in advance for your attention to this matter.

With kindest regards, I remain

Sincerely yours,

Owen Pickett

Member of Congress

OP/ek





VIRGINIA, IND DISTRICT

COMMITTEE ON NATIONAL SECURITY

SUBCOMMITTEE ON MILITARY PERSONNEL RANKING MEMBER

SUBCOMMITTER ON MILITARY READINESS

COMMITTEE ON RESOURCES

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Congressman Owen Pickett

FAX COVER SHEET

RETURN FAX NUMBER; (202) 225-4218 - Washington

DATE 7/9/97	FAX Number 418 - 1662
TO: Lon Scien	ne
Message:	
Enclosures	to June 25 letter Cornblum. Sorry!
to Karen K	Cornblum. Sorry!
	V
FROM: Ms. Emily Keogh, I	Legislative Assistant
,,	Legislative Assistant not complete respond to:
if this FAX is	
if this FAX is	not complete respond to:





June 5, 1997

The Honorable Owen B. Pickett 2430 Rayburn House Office Building Washington, D.C. 20515

Dear Representative Pickett:

I am writing to bring to our attention proposals at the FCC that, if enacted, possibly undermine the intent of congress and are indirect contradiction with the *Telecommunications Act of 1996 (P.L. 104-104)*. Title II Sec 202(g) of the Act grandfathered television local marketing agreements (LMA). It is our understanding the FCC Commissioners will consider a proposal at their June 19, 1997 meeting which would terminate television LMAs.

As you know, current FCC regulations prohibiting the ownership of more than one television station in a market by the same person or entity date from the early days of TV when there were few stations in each market and a scarcity of media outlets. Today, the consumer has numerous media choices (e.g., broadcast TV, cable, satellite, "wireless" cable, radio, on-line services, and print) and, as a result, the "market-share" of local TV has dwindled. Moreover, it is not unusual to have six, seven or more broadcast television stations in the same market. Larger markets have as many as fourteen local stations.

Some television stations have become competitive by entering into an LMA with another station in the same market. An LMA that has ensured financial survival for a station has meant at least one more television station can provide free, over-the-air broadcast in a specific market. Of note, existing LMAs have been arranged with the newer networks (FOX, UPN and WB), or independent stations. Clearly, the survival of these newer networks and independent stations has contributed to diversity.

Broadcasters entered into LMAs with FCC approval and in accordance with established FCC guidelines. And relying on the authority of the FCC, broadcasters have spent millions of dollars upgrading equipment and service at dozens of stations, in an attempt to make them competitive amongst the numerous existing and prospective media outlets. Many broadcasters have yet to see a return on their investments. An attempt by the FCC to terminate LMAs could prove to be a hardship on those broadcasters that invested the time, money, and resources in LMAs. This is a harsh message to send to broadcasters who now face the challenge of absorbing significant infrastructure costs in the transition to digital TV.

Sinclair Communications does not operate an LMA in Virginia. However, I request you notify the FCC that attempts to undermine the intent of Congress and violate the letter of the law cannot and will not be tolerated. I request you send a copy to me of any correspondence you send to the FCC on this subject.

I would like to thank you for your prompt attention to this matter.

Sincerely,

Scott Sanders General Manager





June 4, 1997

Representative Owen B. Pickett U.S. House of Representatives 2430 Rayburn House Building Washington, DC 20515

Dear Representative Pickett:

I am writing to bring to your attention proposals at the FCC that, if enacted, possibly undermine the intent of Congress and are in direct contradiction with the *Telecommunications Act of 1996 (P.L. 104-104)*. Title II Sec 202 (g) of the Act grandfathered television local marketing agreements (LMA). It is our understanding the FCC Commissioners will consider a proposal at their June 19, 1997 meeting which would terminate television LMAs.

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Page Two

Sinclair Communications operates an LMA in your state. Accordingly, I request you notify the FCC that attempts to undermine the intent of Congress and violate the letter of the law cannot and will not be tolerated. I request you send a copy to me of any correspondence you send to the FCC on this subject.

I would like to thank you for your prompt attention to this matter.

Sincerely,

Steve Marks

Regional Director

SM/da